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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,043	01/28/2004	Tomoko Maruyama	204552031700	9599
7590 06/14/2007				
Barry E. Bretschneider Morrison & Foerster LLP Suite 300 1650 Tysons Boulevard McLean, VA 22102				
			EXAMINER CHEEMA, UMAR	
			ART UNIT 2109	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/765,043

Applicant(s)

MARUYAMA ET AL.

Examiner

Umar Cheema

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/6/05
1/25/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

2. The two information disclosure statements (IDS) submitted on 06/06/2005 and 01/28/2004 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-13** are rejected under 35 U.S.C. 102(b) as being anticipated by Itoh (US 2001/0021037 A1).

5. **Regarding claim 1**, Itoh teaches a network scanner device for transmitting image data through networks (abstract, pg. 1, par. 0015-0016) comprising:
a reading section for scanning a document to obtain image data (abstract, pg. 1, par. 0018),

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a first setting section for setting up a recipient address to which the image data is to be transmitted (pg. 1, par. 0019),

a second setting section for setting up a sender address representing a sender in place of a sending station address specifying the device (pg. 1, par. 0020, fig. 10- where IP address is the address of the sender instead of the sending location address), and

a transmission control section for carrying out control for adding to the image data the sender address set by the second setting section (pg. 1, par. 0017, pg. 6, par. 0146, fig. 10, pg. 5, par. 0111) and transmitting the image data to the recipient address set by the first setting section (pg. 1, par. 0022).

6. **Regarding claim 2**, Itoh teaches a network scanner device as claimed in claim 1, further comprising a one-touch setting section (pg. 1, par. 0021) for setting up the recipient address and the sender address simultaneously (pg. 1, par. 0021, pg. 2, par. 0050).

7. **Regarding claim 3**, Itoh teaches a network scanner device as claimed in claim 2, wherein the one-touch setting section (pg. 1, par. 0021) carries out setting of the recipient address and the sender address, in accordance with instructions by the sender (pg. 2, par. 0050).

8. **Regarding claim 4**, Itoh teaches a network scanner device as claimed in claim 2, further comprising a display section that is capable of displaying information including

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the recipient address and the sender address (fig. 1, pg. 2, par. 0049, pg. 3, par. 0070, pg. 6, par. 0146).

9. **Regarding claim 5**, Itoh teaches a network scanner device as claimed in claim 1, further comprising a storage section in which candidates of recipient addresses associated with each sender address are stored (pg. 3, par. 0074), wherein, on setting of the sender address, the recipient address is chosen from candidates of recipient addresses associated with the sender address (fig. 10, pg. 6, par. 0146).

10. **Regarding claim 6**, Itoh teaches a network scanner device as claimed in claim 1, further comprising a storage section in which sender addresses associated with IDs representing users are stored (pg. 2, par. 0054), wherein the sender address is automatically set up in accordance with an inputted ID (pg. 3, par. 0073).

11. **Regarding claim 7**, Itoh teaches a network scanner device as claimed in claim 6, further comprising an ID input prompting section for making a display that prompts input of an ID representing a user, as a condition for start of operations of the device (fig. 1, pg. 2, par. 0049, pg. 3, par. 0073).

12. **Regarding claim 8**, Itoh teaches a network scanner device as claimed in claim 1, further comprising an operation panel by which information including the recipient address and the sender address is inputted or chosen (abstract, pg. 1, par. 0019).

13. **Regarding claim 9**, Itoh teaches a network scanner device as claimed in claim 1, wherein information including the recipient address and the sender address can be inputted through networks (pg. 1, par. 0055).

14. **Regarding claim 10**, Itoh teaches a network scanner device as claimed in claim 1, wherein the sending station address specifying the device is included in contents of a text of mail to which the image data is added (pg. 5, par. 0132).

15. **Regarding claim 11**, Itoh teaches a network scanner device for transmitting image data through networks (abstract, pg. 1, par. 0015-0016), comprising:
image memory in which image data is stored (fig. 2, pg. 2, par. 0056),
a first setting section for setting up a recipient address to which the image data is to be transmitted (pg. 1, par. 0019),
a second setting section for setting up a sender address representing a sender in place of a sending station address specifying the device (pg. 1, par. 0020, pg. 6, par. 0146, fig. 10 -- where IP address is the address of the sender instead of the sending location address), and
a transmission control section for carrying out control for adding to the image data the

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sender address set by the second setting section (pg. 1, par. 0017, pg. 6, par. 0146, fig. 10, pg. 5, par. 0111) and transmitting the image data to the recipient address set by the first setting section (pg. 1, par. 0022).

16. **Regarding claim 12**, Itoh teaches an image data transmitting method of a network scanner device (abstract, pg. 1, par. 0015-0016) which attaches image data to electronic mail and transmits the image data through networks (pg. 1, par. 0112-0113), comprising steps of:

scanning a document and obtaining the image data (pg. 1, par. 0002),

setting a recipient address to which the image data is to be transmitted (pg. 1, par. 0019),

setting a sender address representing a sender, in place of a sending station address specifying the device (pg. 1, par. 0020, pg. 6, par. 0146, fig. 10 -- where IP address is the address of the sender instead of the sending location address), and

adding the set sender address to the image data and transmitting the image data to the set recipient address through the networks (pg. 1, par. 0112-0113, pg. 7, par. 0174, pg. 5, par. 0111).

17. **Regarding claim 13**, Itoh teaches an image data transmitting method as claimed in Claim 12, wherein the step of scanning a document and obtaining image data (pg. 1, par. 0015), the step of setting the recipient address to which the image data is to be

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transmitted (pg. 1, par. 0019), and the step of setting the sender address representing the sender in place of the sending station address specifying the device are carried out in an altered sequence (pg. 1, par. 0020, pg. 4, par. 0090, pg.7, par. 0164).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lo et al. (US 5,911,044) teach a network image scanning system which transmits image information from a scanner over a network to a client computer. Itoh (US 7,024,486) teaches system for directly transmitting an image data signal from a scanner device to a computer terminal via a network without using a server. Hou et al (US 6,710,893) teach automated system and method of testing a facsimile machine. Phan (US 7,292,271) teaches soft labels for mep panel display.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Cheema whose telephone number is 571-270-3037. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on 571-272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

UC


N. DREW RICHARDS
PRIMARY EXAMINER